

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 06, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BRUCE GOODELL, a single person,

Plaintiff,

v.

COLUMBIA COUNTY PUBLIC
TRANSPORTATION; COLUMBIA
COUNTY TRANSPORTATION
AUTHORITY; and DAVID OCAMPO,
Defendants.

No. 2:20-CV-00226-SAB

**ORDER GRANTING MOTION
TO AMEND COMPLAINT AND
DENYING MOTION TO
DISMISS AS MOOT**

Before the Court are Defendants' Motion to Dismiss for Failure to State a Claim, ECF No. 23 and Plaintiff's Motion to Amend Complaint, ECF No. 24. A hearing on the motions was held on November 6, 2020. Plaintiff was represented by Andrew Biviano, who appeared by videoconference. Defendants were represented by Andrew Wagley, who appeared by videoconference.

The Court reviewed the parties' pleadings and heard from counsel. For the reasons stated on the record, the Court will allow Plaintiff to amend his complaint.

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**ORDER GRANTING MOTION TO AMEND COMPLAINT AND
DENYING MOTION TO DISMISS AS MOOT * 1**

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiff's Motion to Amend Complaint, ECF No. 24, is **GRANTED**. Plaintiff is granted leave to file his Second Amended Complaint, ECF No. 24-1.

2. Defendants' Motion to Dismiss for Failure to State a Claim, ECF No. 23, is **DENIED as moot and without prejudice**. Defendants shall have until **December 4, 2020** to file an amended Motion to Dismiss. Responses and replies shall be filed in accordance with the Local Rules. The parties shall contact the Court to set a new hearing date for the amended Motion to Dismiss and any other pretrial motions.

IT IS SO ORDERED. The District Court Clerk is hereby directed to enter this Order, provide copies to counsel, and **docket** Plaintiff's Second Amended Complaint, located at ECF No. 24-1.

DATED this 6th day of November 2020.



A handwritten signature in blue ink that reads "Stanley A. Bastian".

Stanley A. Bastian
United States District Judge